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MEMORANDUM FOR THE ASSISTANT DIRECTOR, CIB

SUBJECT: DISPOSITION OF CAPTURED JAPANESE DOCUMENTS.

1. Reference your Memorandum to General Counsel,
Subject: Captured Documents, disposition of, dated 19
August 1947.

2. In response to the questions set forth in
reference memorandum, the following conclusions have been
reached:

a. That title to the Washington Document
Center and to the documents contained therein, has validly
been transferred to CIA.

b. That CIA has the obligation of furnishing
a final repository for those captured Japanese documents
after they have been exploited for intelligence purposes;
that this final repository need not be under the jurisdiction
of CIA.

c. That these captured Japanese documents are
considered records, within the meaning of applicable Federal
statutes, insofar as they contain record material. As such
they may be transferred to the National Archives following
completion of intelligence exploitation. Non-record material
among these documents should be destroyed, or forwarded to
other governmental agencies as appropriate.

d. That as all of these documents belong to
the United States by capture, no attempt should be made to
differentiate between Japanese governmental and non-governmental
records for purposes of transfer. However, CIA
should be made to consider the needs and requests of the
Library of Congress and other governmental agencies.

e. That the authority of CIA to destroy these
documents or dispose of them to private interests is governed
by applicable provisions of law.

f. That the authority of CIA to dispose of
these documents by inter-agency transfer (other than to the
National Archives or on temporary loan) is governed by the
Executive Order 9734, dated 25 September 1946, requiring ap-
proval of the Bureau of the Budget.

g. That the initial responsibility for de-
storing that intelligence exploitation of these documents is

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completed, and that they are subject to final disposal by destruction, transfer to Archives, or inter-agency, ~~in the province~~ of the Documents Branch. The responsibility for carrying out the final scheduling and disposal should be determined by a conference of the interested offices. It should be borne in mind, however, that the Central Records Division is charged with maintaining accurate records of final disposition or destruction of documents for the protection of the agency.

General Counsel

Assistant Director, O/O
Executive for ADM - 1
General Counsel's file - 3
Assistant General Counsel's file - 1
Central Records - 2

Archives - 1

Document - 1

- 1

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